

JAN 05 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RCE/12800  
PATENT  
APPLICATION

In re: PATENT APPLICATION of:  
 Inventor(s): Charles A. Dark et al.  
 Appln. No.: 10 042,811

Group Art Unit 2815  
 Examiner: Nguyen, Joseph H.  
 Atty. Dkt. 100-16901  
 No.

P05109-C1

Series Code ↑

Serial No. ↑

Filed: January 8, 2002

Title: Silicide Bridged Anti-Fuse (as amended)

R C E

Client Ref

**DO NOT USE FOR PROVISIONAL, DIVISIONAL, CIP  
OR DESIGN APPLICATIONS, OR REEXAMINATION  
OF PATENTS**

Mail Stop RCE  
 P.O. Box 1450  
 Commissioner for Patent  
 Alexandria, VA 22313-1450

Date: December 31, 2003

Sir:

**REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER RULE 114**

Please continue the examination of this application.

**PREREQUISITES**

This application was filed on/after June 8, 1995, is not abandoned, and no court action has been filed, or if filed, it has been terminated.

An issue fee has not been paid (unless a petition under Rule 313(c)(2) is also being filed -- see item 4 below).

Prosecution has been closed as defined in Rule 114(b).

Reply to any outstanding action and Rule 17(e) filing fee must be enclosed

This application is entitled under Rule 114 to withdrawal of any outstanding finality or of any allowance plus a new action by the Examiner. Consideration on the merits of each submission (e.g., IDS, Amendment, new arguments; new evidence, but not appeal/reply briefs themselves) filed herewith is respectfully requested.

Please consider the following before the next Official Action:

1. Please  enter  do not enter the Amendment filed
2.  The enclosed Amendment.
3.  Consider the arguments in the appeal brief filed \_\_\_\_\_ and reply brief filed \_\_\_\_\_
4.  The issue fee has been paid, but this RCE is based on Rule 313(c)(2). See enclosed petition.
5.  The enclosed Information Disclosure Statement and Form PTO-1449 (with two references).
6.  The Enclosed Non-Publish Request.
7.  Please suspend action under Rule 103(c) for a period of \_\_\_\_\_ months (3 mos. Max) for which the required \$130 fee is enclosed
8.  A check in the amount of \$1036.00 is enclosed of which \$770 is the required RCE filing fee, \$180 for 10 extra claims and \$86 for one extra independent claim and (Postcard, fee transmittal (with copy) are also attached.)

(Our Deposit Account No. 502305)

(Atty. Dkt No.) 100-16901 (P05109-C1)

Express Mail No. EV342471406US

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order No. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Correspondence Address Below

Law Offices of Mark C. Pickering

Customer No. 33402

P.O. Box 300  
 Petaluma, CA 94953-0300  
 (707) 762-5500  
 Customer No. 33402

By Atty:

Mark C. Pickering

Reg. No. 36,239

Sig:

Mark C. Pickering

Fax: (707) 762-5504

Date:

December 31, 2003

Tel: (707) 762-5583

<p style="text-align: center;"><b>OFFICE TRANSMITTAL</b>  <b>For FY 2004</b>  <small>Patent fees are subject to annual revision.</small>  <small>Express Mail No. EV342471406US</small>  <small>DEC 31 2003</small>  <small>PATENT &amp; TRADEMARK OFFICE</small></p>		<i>Complete if Known</i>																																																																																																																																																																																																																																													
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1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees or credit any overpayment under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 502305 <b>LAW OFFICES OF MARK C. PICKERING</b>  <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. 2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other		3. Additional Fees <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 15%;">Large Entity</th> <th style="text-align: left; width: 15%;">Small Entity</th> <th colspan="4"></th> </tr> <tr> <th>Fee Code</th> <th>Fee</th> <th colspan="4"></th> </tr> </thead> <tbody> <tr> <td>1051</td> <td>130</td> <td>2051</td> <td>65</td> <td colspan="3">Surcharge - late filing fee or oath</td> </tr> <tr> <td>1052</td> <td>50</td> <td>2052</td> <td>25</td> <td colspan="3">Surcharge - late provisional filing fee or cover sheet</td> </tr> <tr> <td>1053</td> <td>130</td> <td>1053</td> <td>130</td> <td colspan="3">Non-English specification</td> </tr> <tr> <td>1812</td> <td>2520</td> <td>1812</td> <td>2520</td> <td colspan="3">For filing a request for ex parte reexamination</td> </tr> <tr> <td>1804</td> <td>920</td> <td>1804</td> <td>920</td> <td colspan="3">Requesting publication of SIR prior to Examiner action</td> </tr> <tr> <td>1805</td> <td>1840</td> <td>1805</td> <td>1840</td> <td colspan="3">Requesting publication of SIR after Examiner action</td> </tr> <tr> <td>1251</td> <td>110</td> <td>2251</td> <td>55</td> <td colspan="3">Extension for reply within first month</td> </tr> <tr> <td>1252</td> <td>420</td> <td>2252</td> <td>210</td> <td colspan="3">Extension for reply within second month</td> </tr> <tr> <td>1253</td> <td>950</td> <td>2253</td> <td>475</td> <td colspan="3">Extension for reply within third month</td> </tr> <tr> <td>1254</td> <td>1480</td> <td>2254</td> <td>740</td> <td colspan="3">Extension for reply within fourth month</td> </tr> <tr> <td>1255</td> <td>2010</td> <td>2255</td> <td>1005</td> <td colspan="3">Extension for reply within fifth month</td> </tr> <tr> <td>1401</td> <td>330</td> <td>2401</td> <td>165</td> <td colspan="3">Notice of Appeal</td> </tr> <tr> <td>1402</td> <td>330</td> <td>2402</td> <td>165</td> <td colspan="3">Filing a brief in support of an appeal</td> </tr> <tr> <td>1403</td> <td>290</td> <td>2403</td> <td>145</td> <td colspan="3">Request for oral hearing</td> </tr> <tr> <td>1451</td> <td>1510</td> <td>1451</td> <td>1510</td> <td colspan="3">Petition to institute a public use proceeding</td> </tr> <tr> <td>1452</td> <td>110</td> <td>2452</td> <td>55</td> <td colspan="3">Petition to revive-unavoidable</td> </tr> <tr> <td>1453</td> <td>1330</td> <td>2453</td> <td>665</td> <td colspan="3">Petition to revive-unintentional</td> </tr> <tr> <td>1501</td> <td>1330</td> <td>2501</td> <td>665</td> <td colspan="3">Utility issue fee (or reissue)</td> </tr> <tr> <td>1502</td> <td>480</td> <td>2502</td> <td>240</td> <td colspan="3">Design issue fee</td> </tr> <tr> <td>1503</td> <td>640</td> <td>2503</td> <td>320</td> <td colspan="3">Plant issue fee</td> </tr> <tr> <td>1460</td> <td>130</td> <td>1460</td> <td>130</td> <td colspan="3">Petitions to the Commissioner</td> </tr> <tr> <td>1807</td> <td>50</td> <td>1807</td> <td>50</td> <td colspan="3">Processing fee under 37 CFR 1.17(q)</td> </tr> <tr> <td>1806</td> <td>180</td> <td>1806</td> <td>180</td> <td colspan="3">Submission of Information Disclosure Stmt</td> </tr> <tr> <td>8021</td> <td>40</td> <td>8021</td> <td>40</td> <td colspan="3">Recording each patent assignment per property (times number of properties)</td> </tr> <tr> <td>1809</td> <td>770</td> <td>2809</td> <td>385</td> <td colspan="3">Filing a submission after final rejection (37 CFR 1.129(a))</td> </tr> <tr> <td>1810</td> <td>770</td> <td>2810</td> <td>385</td> <td colspan="3">For each additional invention be examined (37 CFR 1.129(b))</td> </tr> <tr> <td>1801</td> <td>770</td> <td>2801</td> <td>385</td> <td colspan="3">Request for Continued Examination (RCE)</td> </tr> <tr> <td>1802</td> <td>900</td> <td>1802</td> <td>900</td> <td colspan="3">Request for expedited examination of a design application</td> </tr> <tr> <td colspan="2">SUBTOTAL (2)</td> <td colspan="2">\$266</td> <td colspan="2">*Reduced by Basic Filing Fee Paid</td> <td colspan="2">SUBTOTAL (3)</td> </tr> <tr> <td colspan="2">SUBMITTED BY</td> <td colspan="6" style="text-align: center;">         Date: <u>12-31-03</u>          By: <u>Mark C. Pickering</u>  <small>Mark C. Pickering, Reg. No. 36,239</small> </td> </tr> <tr> <td colspan="2">         Law Offices of Mark C. Pickering          P.O. Box 300          Petaluma, CA 94953-0300          Telephone: (707) 762-5583          Facsimile: (707) 762-5504          Customer No. 33402       </td> <td colspan="6" style="text-align: right;"> <small>RECEIVED</small>  <small>JAN - 8 2004</small>  <small>TECHNOLOGY CENTER 2800</small> </td> </tr> </tbody></table>						Large Entity	Small Entity					Fee Code	Fee					1051	130	2051	65	Surcharge - late filing fee or oath			1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet			1053	130	1053	130	Non-English specification			1812	2520	1812	2520	For filing a request for ex parte reexamination			1804	920	1804	920	Requesting publication of SIR prior to Examiner action			1805	1840	1805	1840	Requesting publication of SIR after Examiner action			1251	110	2251	55	Extension for reply within first month			1252	420	2252	210	Extension for reply within second month			1253	950	2253	475	Extension for reply within third month			1254	1480	2254	740	Extension for reply within fourth month			1255	2010	2255	1005	Extension for reply within fifth month			1401	330	2401	165	Notice of Appeal			1402	330	2402	165	Filing a brief in support of an appeal			1403	290	2403	145	Request for oral hearing			1451	1510	1451	1510	Petition to institute a public use proceeding			1452	110	2452	55	Petition to revive-unavoidable			1453	1330	2453	665	Petition to revive-unintentional			1501	1330	2501	665	Utility issue fee (or reissue)			1502	480	2502	240	Design issue fee			1503	640	2503	320	Plant issue fee			1460	130	1460	130	Petitions to the Commissioner			1807	50	1807	50	Processing fee under 37 CFR 1.17(q)			1806	180	1806	180	Submission of Information Disclosure Stmt			8021	40	8021	40	Recording each patent assignment per property (times number of properties)			1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))			1810	770	2810	385	For each additional invention be examined (37 CFR 1.129(b))			1801	770	2801	385	Request for Continued Examination (RCE)			1802	900	1802	900	Request for expedited examination of a design application			SUBTOTAL (2)		\$266		*Reduced by Basic Filing Fee Paid		SUBTOTAL (3)		SUBMITTED BY		Date: <u>12-31-03</u> By: <u>Mark C. 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PTO/SB/35 (11-00)

Approved for use through 10/31/2002, OMB 0651-0031

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)  
(Express Mail No. EV342471406US)**

First Named Inventor	Charles A. Dark et al.
Title	Silicide Bridged Anti-Fuse (as amended)
Atty Docket Number	100-16901 (P05109-C1)

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

12-31-03

Date

Signature

Mark C. Pickering  
Reg. No. 36,239

Typed or printed name

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JAN -8 2004  
TECHNOLOGY CENTER 2800

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

**Burden Hour Statement:** This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.